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National Environmental Trust

April 18, 2005

George Detweiler  
Docket Management Facility  
U.S. Department of Transportation  
400 Seventh Street SW  
Washington, D.C. 20590

(via email)

RE: USCG-2005-20380 - 13  
Port Access Route Study

Dear Mr. Detweiler:

The National Environmental Trust appreciates this opportunity to comment on the Coast Guard Port Access Route Study (PARS) being considered to reduce vessel strikes of North Atlantic right whales, as noted in the Federal Register, Vol. 70, No. 33 on February 18, 2005.

As you know, the North Atlantic right whale is one of the most endangered large whales in the world. Concentrated along the heavily industrialized Atlantic coast of North America, it has been widely recognized by scientists that threats to its survival include entanglement in fishing gear and ship strikes. Between 300 and 350 individuals still exist, and no sustained growth in the population is apparent despite almost seven decades of protection. Recent population viability analysis of this species indicates that unless serious action is taken immediately to reduce human-induced mortalities, the right whale is certainly headed for extinction. Given the dire status of the species and the fact that the majority of its range occurs within U.S. coastal waters, the U.S. has a particular responsibility to enact all possible protective measures to protect and conserve right whales as required by the Endangered Species Act and Marine Mammal Protection Act.

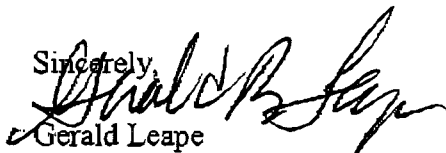
The threat posed by vessel traffic to the future of this species is well known and the documentation provided in recent years by the New England Aquarium and other scientists is clear. Concerns have been raised in international management fora as well: for the past two years the Scientific Committee of the International Whaling Commission (IWC) has stated that conservation of the North Atlantic right whale "represents a high management priority for the IWC", and recommended that "it is a matter of absolute

urgency that every effort be made to reduce anthropogenic mortality in the population to zero."

We urge the Coast Guard to use the authority granted it under U.S. domestic laws to regulate ship traffic entering U.S. ports in order to analyze all of the routing measures suggested by the National Marine Fisheries Service Advanced Notice of Proposed Rulemaking in 50 CFR Part 224, June 1 2004. It is critical that the analysis considers ports throughout the entire Eastern Seaboard of the US, since right whales are known to frequent coastal waters from Maine to Florida, and ship strikes have been documented in a number of these areas. During the past year, six right whale deaths have been documented by U.S. scientists, including three pregnant females. Two of the deaths, both of which were pregnant females carrying a full-term fetus, have been attributed to ship strikes. Another of the pregnant females likely died from complications resulting from an earlier ship strike wound. The carcasses of these animals were found throughout East Coast waters, indicating that a full port access analysis is warranted.

We understand the difficulties that shifting routes could pose in terms of increased costs to commercial ship traffic. However, given the precarious status of this highly endangered species, and the fact that the loss of even a single right whale to a ship strike presents a serious threat to the future of the species, we encourage the Coast Guard to place the future of this species above all other priorities and ensure its future in U.S. waters.

Sincerely,



Gerald Leape

Vice President, Marine Conservation  
National Environmental Trust